

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

CAYUGA NATION, CLINT HALFTOWN,
TIMOTHY TWOGUNS, GARY WHEELER,
DONALD JIMERSON, MICHAEL
BARRINGER, RICHARD LYNCH, B.J.
RADFORD, AND JOHN DOES 8-20,

Plaintiffs,

v.

HOWARD TANNER, VILLAGE
OF UNION SPRINGS CODE ENFORCEMENT
OFFICER, IN HIS OFFICIAL CAPACITY;
BUD SHATTUCK, VILLAGE OF UNION
SPRINGS MAYOR, IN HIS OFFICIAL
CAPACITY; CHAD HAYDEN, VILLAGE OF
UNION SPRINGS ATTORNEY, IN HIS
OFFICIAL CAPACITY; BOARD OF
TRUSTEES OF THE VILLAGE OF UNION
SPRINGS, NEW YORK; AND THE VILLAGE
OF UNION SPRINGS, NEW YORK,

Defendants.

No. 5:14-cv-1317-DNH-ATB

NOTICE OF MOTION TO DISMISS COUNTERCLAIM

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in support of the Motion to Dismiss Counterclaim, the Stipulation dated June 11, 2019, and upon all pleadings and prior papers by and between the parties in this action, Plaintiffs (through their attorneys, Jenner & Block LLP) will jointly move this Court at the Alexander Pirnie U.S. Courthouse, 10 Broad Street, Utica, New York, on June 28, 2019, at 2:00 p.m., before the Hon. David N. Hurd, United States District Court Judge, for an Order dismissing

the Counterclaim filed with Defendants' Answer, as set forth in the accompanying Proposed Order.

DATED: June 11, 2019

By: /s/ David W. DeBruin
David W. DeBruin (*pro hac vice*)
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Attorney for Plaintiffs